



General Assembly

**Substitute Bill No. 1389**

January Session, 2007

\* SB01389JUD\_\_041307\_\_ \*

**AN ACT CONCERNING THE TOLLING OF THE STATUTE OF  
LIMITATIONS FOR A NEGLIGENCE ACTION BY A MINOR.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-584 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) No action to recover damages for injury to the person, or to real  
4 or personal property, caused by negligence, or by reckless or wanton  
5 misconduct, or by malpractice of a physician, surgeon, dentist,  
6 podiatrist, chiropractor, hospital or sanatorium, shall be brought but  
7 within two years from the date when the injury is first sustained or  
8 discovered or in the exercise of reasonable care should have been  
9 discovered, and except that no such action may be brought more than  
10 three years from the date of the act or omission complained of, except  
11 that a counterclaim may be interposed in any such action any time  
12 before the pleadings in such action are finally closed.

13 (b) Notwithstanding the time limitation to bring an action under  
14 subsection (a) of this section, if a person entitled to bring such an  
15 action, other than for the recovery of real property or a penalty or  
16 forfeiture, is unable to bring such action because such person is under  
17 eighteen years of age on the date the cause of action accrued, such  
18 person may bring such action within one year from the date such  
19 person attains eighteen years of age, except that no such action may be

20 brought more than eight years from the date of the act or omission  
21 complained of.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>October 1, 2007</i>	52-584
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***JUD***      *Joint Favorable Subst.*